

Minutes
Town of Lake Park, Florida
Regular Commission Meeting
October 5, 2005 7:30 p.m.
Town Commission Chambers, 535 Park Avenue

The Town Commission met for the purpose of a Regular Commission Meeting on Wednesday, October 5, 2005 at 7:30 p.m. Present were Mayor Castro, Commissioners Balius, Carey, and Daly, Town Manager Paul Carlisle, Town Attorney Thomas Baird, and Town Clerk Stephanie Thomas. Vice-Mayor Garretson was absent.

Town Clerk Stephanie Thomas led the Invocation.

Mayor Castro led the Pledge of Allegiance.

Town Clerk Stephanie Thomas performed the Roll Call.

ADDITIONS/DELETIONS/APPROVAL OF AGENDA

Resolution 34-09-05, Villa Liana, was changed to a Quasi-Judicial Hearing.

Motion: A motion was made by Commissioner Daly to approve the October 5, 2005 Regular Commission Meeting Agenda as amended; Commissioner Balius made the second.

Vote on Motion:

Commission Member	Yes	No	Other
Commissioner Balius	X		
Commissioner Daly	X		
Commissioner Carey	X		
Vice-Mayor Garretson			Absent
Mayor Castro	X		

Motion passed 4-0.

PUBLIC and OTHER COMMENT

The following person(s) addressed the Commission:

Todd Dry, 340 10th Street- Expressed his concerns regarding the 10th Street zoning change made without notification to business owners.

John Strauss, 330 10th Street- Addressed his concerns regarding his 10th Street property rezoning in the middle of his project. Mayor Castro directed the Town Manager Paul Carlisle to review when the rezoning notices were provided to the applicable property owners and when it was advertised.

Desca Dubois, 516 Sabal Palm Drive- Read a letter signed by residents regarding the crime on Sabal Palm Drive. Ms. Dubois's car was burglarized. See Exhibit "A".

Catherine Saikley, 330 2nd Street- Expressed her concern with our Police Service. Ms. Saikley's home was burglarized and the deputy was rude and unprofessional. Ms. Saikley requested additional police patrolling the streets in Town.

Captain Burke, Palm Beach County Sheriff's Office – Address the Commission for Captain Reece, who is on vacation. The Commission asked for a monthly response report from dispatch. The report is called a CAD report. Mayor Castro requested a Major to speak to them regarding the expectations of the Town. Captain Burke will organize the meeting to including Captain Reece. Mayor Castro requested details on the situations that have occurred on 2nd Street.

Rick Goodsell, 410 9th Street- Received a Code violation because of vegetation that was left in front of his property. Mayor Castro has addressed this issue with the Town Manager, who is addressing this situation with the Public Works staff. Mr. Goodsell expressed his confusing regarding the Villa Liana project, he has not received any public notice. Mayor Castro was shown a copy of the letter Mr. Goodsell received in August. Mayor Castro stated that he would speak further on this issue as it appears on the agenda.

PRESENTATIONS:

Proclamation recognizing National Fire Prevention Week.

Motion: A motion was made by Commissioner Daly to approve the Proclamation National Fire Prevention Week; Commissioner Balius made the second.

Vote on Motion:

Commission Member	Yes	No	Other
Commissioner Balius	X		
Commissioner Daly	X		
Commissioner Carey	X		
Vice-Mayor Garretson			Absent
Mayor Castro	X		

Motion passed 4-0.

CONSENT AGENDA:

Commission Meeting Minutes of September 21, 2005.

Local Government Financial Report (State Report).

Motion: A motion was made by Commissioner Balius to approve the Consent Agenda; Commissioner Daly made the second.

Vote on Motion:

Commission	Yes	No	Other
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Member			
Commissioner Balius	X		
Commissioner Daly	X		
Commissioner Carey	X		
Vice-Mayor Garretson			X
Mayor Castro	X		

Motion passed 4-0.

PUBLIC HEARING(S)

ORDINANCE(S) ON SECOND READING:

ORDINANCE NO. 11-2005- Regulation of Sexual Predators.

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING THE CODE OF ORDINANCES OF THE TOWN OF LAKE PARK, CHAPTER 14, ENTITLED MISCELLANEOUS, ARTICLE I, IN GENERAL TO CREATE NEW CODE SECTION 14-12 TO BE ENTITLED SEXUAL PREDATOR AND SEXUAL OFFENDER REGULATIONS; DEFINITIONS; CREATING NEW CODE SECTION 14-13 TO BE ENTITLED SEXUAL OFFENDER AND SEXUAL PREDATOR RESIDENCY PROHIBITIONS TO PROVIDE A SEPARATE REQUIREMENT OF 2500 FEET FROM THE RESIDENCES OF SEXUAL OFFENDERS AND PREDATORS AND CERTAIN USES; NEW CODE SECTION 14-14 TO BE ENTITLED RENTAL OF CERTAIN REAL PROPERTY TO SEXUAL OFFENDERS/PREDATORS PROHIBITED; AND NEW CODE SECTION 14-14 TO BE ENTITLED ANNUAL REGISTRATION OF PRIVATE SCHOOL BUS STOPS; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Public Hearing Opened.

None.

Public Hearing Closed.

Motion: A motion was made by Commissioner Balius to approve Ordinance 11-2005;
Commissioner Daly made the second.

Vote on Motion:

Commission Member	Yes	No	Other
Commissioner Balius	X		
Commissioner Daly	X		
Commissioner Carey	X		

Vice-Mayor Garretson			X
Mayor Castro	X		

Motion passed 4-0.

ORDINANCES:

ORDINANCE NO: 14-2005- Hours of Operation for the LP Harbor Marina.

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING THE TOWN CODE AT CHAPTER 8, ARTICLE III, SECTION 8-42, "ENTITLED PERMITTED HOURS OF USE"; TO CHANGE THE HOURS OF PERMITTED USE OF THE LAKE PARK HARBOR MARINA TO PREVENT USE OF, AND VEHICULAR PARKING AT, THE MARINA FROM 9:00 P.M. TO 6:00 A.M.; PROVIDING FOR A EFFECTIVE DATE.

Public Hearing Opened.

None.

Public Hearing Closed.

Commissioner Balias wanted to make sure that this Ordinance will be enforced. Mayor Castro assured everyone that this Ordinance will be enforced.

Motion: A motion was made by Commissioner Carey to approve Ordinance 14-2005; Commissioner Daly made the second.

Vote on Motion:

Commission Member	Yes	No	Other
Commissioner Balias	X		
Commissioner Daly	X		
Commissioner Carey	X		
Vice-Mayor Garretson			X
Mayor Castro	X		

Motion passed 4-0.

Quasi Judicial – The Town Clerk sworn in all the witnesses in the audience.

Exparte Communication:

Mayor Castro stated that he had none with the client, but has had conversations with staff regarding the case. Mayor Castro indicated that his conversation was regarding a buffer between the multifamily residents and businesses.

Commissioner Carey indicated that he spoke with Mr. Ahrens, a few months ago, when the project was approved regarding what was going to be built.

Commissioner Daly stated that he had none.

Commissioner Balius stated that he spoke with Mr. Ahrens, a few months ago, regarding what will be built.

Mayor Castro asked the Town Manager for a clarification as to when the public was notified of the project. Town Manager Paul Carlisle asked Larry Szykowski, Director of Community Development, to address this and any other issues the Commission had. Larry Szykowski indicated that the original notice was sent September of 2004. Mr. Szykowski indicated that another notice was mailed, but he was unable to located that letter at this time.

Mr. Richard Ahrens addressed the Commission giving a brief synopsis of the situation and how it has been handled by staff.

Mayor Castro asked for clarification from Town Attorney Tom Baird regarding an item never making it to an agenda to then having that same item deferred to another meeting. Town Attorney Tom Baird clarified this issue by stating that if an item was noticed for a meeting and never heard at a meeting, then it could not be continued. In other words the notice was no longer valid.

Mayor Castro asked the Town Attorney for direction to allow Mr. Ahrens to be heard on the project. Town Attorney Tom Baird indicated that Mr. Ahrens can be heard, but the Commission could not make any motions or decisions at this time, because it was not advertised properly.

Larry Szykowski, Community Development Director gave an overview of the site plan. Mayor Castro took comments and questions from the audience.

Rick Goodsell – pointed out some errors on the documentation, including the legal description.

RESOLUTION(S)

RESOLUTION NO. 34-09-05- Villa Liana Site Plan

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, APPROVING A SITE PLAN FOR A MULTI-FAMILY RESIDENTIAL DEVELOPMENT OWNED BY 10TH AVENUE, LLC KNOWN AS VILLA LIANA LOCATED ON LOTS 17 TO 28, INCLUSIVE, BLOCK 47 IN THE TOWN OF LAKE PARK; AND ISSUING A DEVELOPMENT ORDER.

There was no official action taken by the Commission.

RESOLUTION NO. 35-09-05 – Library Classification Plan.

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA , APPROVING THE NEW CLASSIFICATION AND PAY PLAN FOR THE LAKE PARK PUBLIC LIBRARY; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Manager Paul Carlisle indicated

Public Hearing Opened.

None.

Public Hearing Closed.

Motion: A motion was made by Commissioner Daly to approve Resolution 35-09-05; Commissioner Balius made the second.

Vote on Motion:

Commission	Yes	No	Other
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Member			
Commissioner Balius	X		
Commissioner Daly	X		
Commissioner Carey	X		
Vice-Mayor Garretson			X
Mayor Castro	X		

Motion passed 4-0.

RESOLUTION NO. 36-09-05 Florida Fish and Wildlife Conservation Commission Grant Application.

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AUTHORIZING THE HARBOR MARINA MANAGER TO APPLY FOR FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION GRANT FUNDING AVAILABLE FROM THE 2004 LEGISLATURE SPECIFIC APPROPRIATION 1910A; AND PROVIDING AN EFFECTIVE DATE.

Public Hearing Opened.

None.

Public Hearing Closed.

Motion: A motion was made by Commissioner Balius to approve Resolution 36-09-05; Commissioner Daly made the second.

Vote on Motion:

Commission Member	Yes	No	Other
Commissioner Balius	X		
Commissioner Daly	X		
Commissioner Carey	X		
Vice-Mayor Garretson			X
Mayor Castro	X		

Motion passed 4-0.

RESOLUTION NO. 37-09-05 Harbor Marina Slip Lease Agreement

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA APPROVING THE FORM OF THE HARBOR MARINA SLIP LEASE

AGREEMENT ATTACHED HERETO AS EXHIBIT "A"; AND PROVIDING FOR AN EFFECTIVE DATE.

Public Hearing Opened.

None.

Public Hearing Closed.

Motion: A motion was made by Commissioner Balias to approve Resolution 37-09-05; Commissioner Daly made the second.

Vote on Motion:

Commission Member	Yes	No	Other
Commissioner Balias	X		
Commissioner Daly	X		
Commissioner Carey	X		
Vice-Mayor Garretson			X
Mayor Castro	X		

Motion passed 4-0.

DISCUSSION AND POSSIBLE ACTION

Community Redevelopment Agency (CRA) Alleyway Improvements

Town Manager Paul Carlisle indicated that the CRA Board had taken official action to approve the project. Mr. Carlisle added that the project now required the approval of the Town Commission to move forward with the assessment process and all associated requirements. Commissioner Balias requested a timeline in which Mr. Carlisle responded that there is not a definite timeline; however, staff will keep the Commission abreast with any developments.

Public Comment Opened.

None.

Public Comment Closed.

Motion: A motion was made by Commissioner Balias to direct staff to proceed with the assessment process as it pertains to the Alleyway Project; Commissioner Carey made the second.

Vote on Motion:

Commission Member	Yes	No	Other
Commissioner Balias	X		

Commissioner Daly	X		
Commissioner Carey	X		
Vice-Mayor Garretson			X
Mayor Castro	X		

Motion passed 4-0.

COMMENTS BY COMMISSION, TOWN MANAGER, TOWN ATTORNEY

Mayor Castro

Mayor Castro mentioned the soft opening of the Target Store. Mayor Castro indicated that he would like to see the Town contract with an outside sanitation company to provide sanitation services when the Town is not able to. He invited the public to attend the Lake Park Sharks Football game on Saturday, October 8, 2005.

Commissioner Carey

Commissioner Carey indicated that he would like to see the Town draft an ordinance requiring all businesses located within the boundaries of the Town of Lake Park to advertise their Lake Park location.

Commissioner Balias

Commissioner Balias directed staff to draft a Thank you to the Palm Beach County Legislative Delegation Department for the meeting they hosted on Peanut Island. Commissioner Balias also expressed his desire to hold a Code Enforcement Meeting in the near future. Commissioner Balias also requested a status on the investigation of the brass plaques. He also requested the status of the stagnant project on Bayberry and Seventh Street. He also addressed the issue with policing patrolling and the recent impact it has had on the recent crime in Lake Park. In addition, he wanted to schedule a meeting with the Sheriff to determine why the patrol cars do not have Lake Park displays on them.

Commissioner Daly

Commissioner Daly requested consensus from the Commission to add a discussion about the Lake Park Harbor Marina to the next Agenda. He agreed with Commissioner Balias about the policing issues.

Town Attorney

No Comment.

Town Manager

Town Manager Paul Carlisle informed the Commission that the Palm Beach County Board of Commissioners is working on a countywide project for workforce housing. Mr. Carlisle addressed the issues associated with the affect the cost of living increase has on middle class professionals. He stressed that the project is not public housing, subsidized housing or Section 8; the project is for the working class citizens who cannot afford to purchase a home in Palm Beach County. He explained that if the problem is not addressed, the local workforce could possibly be


forced to relocate to other areas.

ADJOURNMENT

There being no further business to come before the Commission and after a motion to adjourn by Commissioner Daly and seconded by Commissioner Carey, and by unanimous vote, the meeting adjourned at 9:00 p.m.



Mayor Paul Castro



Town Clerk Stephanie Thomas





Deputy Town Clerk Vivian Mendez

Approved on this 19th day of October 2005.